

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 28, 1999**

DIVISION ONE

B120866      Ciccel      (Not for Publication)  
v.  
Clinton et al.

The judgment is affirmed. Clinton is entitled to his costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

B114389      In re Marriage of Lynn and Ron Hale      (Not for Publication)  
Hale  
v.  
Hale

The judgment is affirmed. Lynn is entitled to her costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B120637      Marshall      (Not for Publication)  
v.  
Longyear

The judgment is affirmed. Longyear is awarded her costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

DIVISION ONE (Continued)

B115804      County of Los Angeles      (Not for Publication)  
v.  
Ranger Insurance Company

The judgment is affirmed. The County is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B124149      People      (Not for Publication)  
v.  
Kazama

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B114447      Low      (Not for Publication)  
v.  
Sport Connection

We affirm the judgment of nonsuit and award defendant its costs.

Ortega, J.

We concur: Spencer, P.J.  
Masterson, J.

## DIVISION ONE (Continued)

B124309 People (Not for Publication)  
v.  
Frausto

The order setting aside the information is reversed, and the cause is remanded to the superior court with directions to reinstate the information.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                         Masterson, J.

B120328 People (Not for Publication)  
v.  
El Muhammad

The order striking Muhammad's prior strike conviction is reversed, the sentence imposed is vacated, and the cause is remanded to the trial court with directions to resentence Muhammad and to thereafter enter a new abstract of judgment.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                         Masterson, J.

B121539      Martinez      (Not for Publication)  
v.  
Brotman Medical Center et al.

The judgment is affirmed. Brotman and Teselle are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

## January 28, 1999-Continued

## DIVISION ONE (Continued)

B120280      Myers      (Not for Publication)  
v.  
Myers

The orders are affirmed. Garry is entitled to his costs of appeal.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                         Masterson, J.

B126395 Valerie F. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Dept of Children & Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B113889 People (Not for Publication)  
v.  
Dawley et al.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                         Masterson, J.

## January 28, 1999-Continued

## DIVISION ONE (Continued)

B123257 People (Not for Publication)  
v.  
Webb

The judgment (order) is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B116578 People v. Shepard (Not for Publication)

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

DIVISION TWO

B120462      Brett Thompson  
v.  
County of Los Angeles

Filed order denying petition for rehearing.

Court convened at 9:15 A.M.

Present: Boren, P.J., Nott, J., Zebrowski, J., Mallano, J. (Assigned), and G. Villanueva, Deputy Clerk.

DIVISION TWO (Continued)

Each of the following:

B118202 People v. Gamez  
B119857 People v. Briscoe  
B117476 People v. Orozco  
B119473 People v. Barrero  
B119307 People v. Bryant  
B111391 People v. Mitchell  
B117732 People v. Jordan  
B123426 People v. Pugh  
B122599 Aramark v. Pase Aluminum  
B118818 People v. Raul P.  
B115165 People v. Rodriguez  
B118238 People v. Sealey  
B115516 People v. Taylor  
B127410 Autry H. v. Sup. Ct., L. A.  
B119561 People v. Perez  
B127017 Claudia S. v. Sup. Ct., L.A.  
B124876 Matter of Jonathan M.  
B122273 Matter of Lloyd B.  
B122075 People v. Swan  
B118578 Swanson v. Adkins  
B126585 David M. v. Sup. Ct. L.A.  
B122732 Matter of Joel C.  
B113202 People v. Lima  
B118654 People v. Risher  
B117040 Gray v. Jeffers  
B123828 People v. Thygesen  
B117243 Miller v. American National  
B108561 People v. Bolanos  
B115841 People v. Allen  
B119343 People v. Bailey

Argument waived, cause submitted.

B114177     People  
              v.  
              Caballero

Merits:

Argued by Susan Wolk for appellant and by Deborah Sturrock for respondent. Cause submitted.

DIVISION TWO (Continued)

B119740     Jones  
              v.  
              Altamura

Merits:  
Argued by Dennis Neil Jones for appellant and by Wendy Albers for respondent. Cause submitted.

B121798     Levin  
              v.  
              Gulf Insurance Group

Merits:  
Argued by Howard Fields for appellant and by Michael Doran for respondent. Cause submitted.

B111278     People  
              v.  
              Covington

Merits:  
Argued by Richard Rome for appellant and by Jacques Garden, Deputy Attorney General for respondent. Cause submitted.

B119106     People  
              v.  
              Garcia

Merits:  
Argued by James Rudolph for appellant and by Mitchell Keiter, Deputy Attorney General for respondent. Cause submitted.

B114951     Vik Brothers Insurance Group  
              v.  
              Cushing

Merits:  
Argued by Jerome Jackson for appellant and by David Lisiewski for respondent. Cause submitted.

DIVISION TWO (Continued)

B114276     Tucker  
              v.  
              Insurance Company of No. America

Merits:  
Argued by Jon Kudani for appellant and by Peter Abrahams for respondent.  
Cause submitted.

B119138     Carrera  
              v.  
              Homes-Hally Industries

Merits:  
Argued by Donna Silver for appellant and by Andrea Gauthier for  
respondent. Cause submitted.

Court recessed.

The Court reconvened at 1:00 P.M.

Present: Boren, P.J., Nott, J., Zebrowski, J., Mallano, J. (Assigned), and G. Villanueva,  
Deputy Clerk.

B13685     People  
              v.  
              Mark H.

Merits:  
Argued by Mark Givens for appellant and by Martin Pitha, Deputy  
Attorney General for respondent. Cause submitted.

B120249     People  
              v.  
              Sablan

Merits:  
Argued by Allen Weinberg for appellant and by John Yang, Deputy  
Attorney General for respondent. Cause submitted.



DIVISION TWO (Continued)

B127205     Stadish  
              v.  
              Superior Ct., L.A. County  
              (So. California Gas Company, r.p.i.)

Merits:  
Argued by Amy Ardell for petitioner and by David Keitel for respondent.  
Cause submitted.

B122041     Department of Children & Family Services  
              v.  
              Superior Ct., L.A. County  
              (Milton L., r.p.i.)

Merits:  
Argued by Judith German for appellant and by Stephanie Davis for  
respondent. Cause submitted.

B125291     Jones  
              v.  
              Superior Ct., L.A. County  
              (People, r.p.i.)

Matter continued to Feb 25, 1999.

B117760     Devale  
              v.  
              Regents, University of Calif.

Merits:  
Argued by Robert Gerstein for appellant and by Alison Turner for  
respondent. Cause submitted.

DIVISION TWO (Continued)

B113256     Torres  
              v.  
              Forgey

Merits:  
Argued by Daniel Smith for appellant and by Guy Kirkpatrick for  
respondent. Cause submitted.

B119115     Dimas  
              v.  
              L.A. Auto Salvage

Merits:  
Argued by John Moriarity for appellant and by Brian Nelson for  
respondent. Cause submitted.

B120358     Sipple  
              v.  
              Foundation Nat'l Progress

Merits:  
Argued by Michael Fitts for appellant and by James Chadwick for  
respondent. Cause submitted.

B107643     Booker  
              v.  
              EMC Mortgage Corp.

Merits:  
Argued by Steven Cooper for appellant and by Steven Lawrence for  
respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B112261      Westside Hospital                      (Certified for Publication)  
                 v.  
                 S. Kimberly Belshe, As Director etc.

The judgment is affirmed. S. Kimberly Belshe, Director, State of California, Department of Health Services is awarded her costs on appeal.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                 Godoy Perez, J.

DIVISION SIX

B120456      Fairview Neighbors et al.    (Not for Publication)  
                 v.  
                 County of Ventura et al.  
                 Transit Mixed Concrete Company

We uphold the order of the trial court denying the petition for writ of mandate. Costs are awarded to respondents are real party.

Stone, J. (Assigned)

We concur:    Gilbert, Acting P.J.  
                 Yegan, J.

B124136      People    (Not for Publication)  
                 v.  
                 Williams

The judgment is reversed with directions to set the matter for a sentencing hearing to determine the appropriate amount of custody credits.

Burke, J. (Assigned)

We concur:    Gilbert, Acting P.J.  
                 Yegan, J.